

JUL 25 2019

A091 (Rev. 8/01) Criminal Complaint

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Luis Angel HERNANDEZ-Monreal
Emilio Antonio GUERRA-Aguirre

CRIMINAL COMPLAINT

Case Number:

2:19mj 2842

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about July 25, 2019 in Brooks County, in the

(Date)

Southern District of Texas defendants, **Luis Angel HERNANDEZ-Monreal**
Emilio Antonio GUERRA-Aguirre

each aiding, abetting and assisting one another, did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 8 USC 1324.
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the
following facts:
Official Title

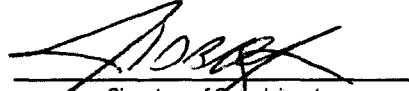
See Attached Affidavit of U.S. Border Patrol Agent

John D. Bullington

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:


Signature of Complainant
John D. Bullington
Printed Name of Complainant

July 25, 2019
Date
B. Janice Ellington U.S. Magistrate Judge
Name and Title of Judicial Officer

at

Corpus Christi, Texas
City and State

Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

FACTS/PROBABLE CAUSE:

On July 25, 2019 at approximately 3:25 AM, Brooks County Sheriff's Deputy S. Rosas initiated a traffic stop on a Chrysler Sebring by Cages North Gate on Highway 281 near Falfurrias, Texas due to a defective license plate light. Upon stopping the vehicle, Deputy Rosas observed multiple people running from the vehicle into the brush. A Border Patrol Agent, driving by, noticed Deputy Rosas and stopped to provide assistance with his traffic stop. Deputy Rosas notified the agent that he had two people in custody and believed that they were illegally present in the United States. It was determined that the driver, Luis Angel HERNANDEZ-Monreal, is a citizen of Mexico and a recipient of the Deferred Action for Childhood Arrivals (DACA). The passenger, later identified as Veronica VELASQUEZ-Andres, admitted to being a citizen and national of Guatemala and to not being in possession of any immigration documents that would allow her to be or remain in the United States. The Falfurrias Station Checkpoint was notified of the case and Border Patrol Agent M. O'Shields was directed to respond to the call and assist. Once agent O'Shields arrived at the scene, Deputy Rosas briefed him on the traffic stop and both subjects were transported to the Falfurrias Border Patrol Checkpoint for further processing.

An additional search of the brush near the vehicle later resulted in the apprehension of another passenger, Emilio Antonio GUERRA-Aguirre, who is a citizen of Guatemala that is illegally present in the United States. GUERRA was subsequently transported to the Falfurrias Checkpoint for processing.

MIRANDA WARNINGS:

At the Falfurrias, Texas. Border Patrol Checkpoint, each of the subjects were read their Miranda Rights and Warnings in their preferred language. All the subjects signed the form stating that they read and understood their rights. All agreed to give a statement without a lawyer present.

PRINCIPAL STATEMENT: (Luis Angel HERNANDEZ-Monreal)

HERNANDEZ stated he saw several individuals walking on the side of the highway. HERNANDEZ said he pulled over to help them because he saw a female that looked like she was tired. HERNANDEZ stated when he stopped the female got in the front seat and three male subjects got in the back seat. HERNANDEZ stated they all told him they were legal and they all showed him a Texas ID card. HERNANDEZ said that they were going to San Antonio, HERNANDEZ told them he was only going to Beeville and that he could give them a ride to Beeville but after that they had to find a ride the rest of the way.

At this time HERNANDEZ recanted his statement and stated the following.

HERNANDEZ stated that an un-named female was the coordinator for the smuggling attempt. HERNANDEZ stated the subject lived in McAllen, Texas near the Jalapeno Bar. HERNANDEZ said the un-named female would be the one to contact him to tell him where to pick up the group. HERNANDEZ stated a white SUV was traveling in front of him and was the lookout.

HERNANDEZ stated the lookout would call the un-named female and she would call him. HERNANDEZ stated that he picked up the group approximately one mile south of the Brooks County Rest Area. HERNANDEZ stated he was to pick up the bodies and was to take them to Houston, Texas for a payment of \$800. HERNANDEZ stated another un-named subject was going to contact him once HERNANDEZ arrived in Houston. HERNANDEZ stated that there was another vehicle that was supposed to pick up another group of approximately four illegal aliens close to where he picked up the initial group.

Co-PRINCIPAL (BRUSH GUIDE) STATEMENT: (Emilio Antonio GUERRA-Aguirre)

GUERRA stated that he had been living in the United States before in the State of Massachusetts for approximately 10 years. GUERRA stated that he got deported for driving while under the influence about a year ago. GUERRA stated that he was just trying to get back there to be with his family. GUERRA stated that he illegally crossed the Rio Grande River approximately four days ago. Subject stated that once he crossed, he was picked up and taken to a house and housed there for one day. GUERRA stated he was moved to a hotel where he was housed for two days. GUERRA stated that on July 24, 2019 at approximately midnight, he and another subject he was with, were picked up by a Jeep Cherokee and driven north. GUERRA stated that they were dropped off alongside the highway and told to walk into the brush. GUERRA stated that the other male subject with him had the phone and was guiding them through the brush. GUERRA stated that once they got to the pick-up point they encountered two other subjects. GUERRA stated that while they were waiting, they were told that a vehicle would be arriving to pick them up. GUERRA stated that a vehicle stopped near their location and they all ran to get into the vehicle. GUERRA stated that he ended up sitting in the back middle seat, the female (VELASQUEZ) sat in front passenger seat. GUERRA described the driver as having big cheeks and a light beard. GUERRA stated he could not tell if he was skinny, fat, short or tall because he was seated. GUERRA stated they traveled for a few minutes and then the police lights came on. Subject stated that as soon as the vehicle came to a stop, they all jumped out and began to run into the nearby brush. Subject stated the driver yelled at them to "Get the hell out".

Note: GUERRA signed telephone consent form accordingly. GUERRA was shown a photo lineup and was not able to identify driver.

MATERIAL WITNESS STATEMENT: (Veronica VELASQUEZ-Andres)

VELASQUEZ stated that she crossed illegally into the United States approximately one week ago. VELASQUEZ stated she was being charged \$70,000.00 Quetzals approximately \$10,000.00 USD to be smuggled to Houston, Texas. VELASQUEZ stated that after crossing, she was housed in a couple of different houses for short periods of time. VELASQUEZ stated that on July 24, 2019, she and a group of four people were picked up and dropped alongside the highway and told to walk into the brush. VELASQUEZ stated that in the group of four, there was a male subject who had the cellphone and was receiving the maps and telling them where to go. VELASQUEZ described him as having a short sleeve black shirt, tattoo on his arm and hair on his chin. VELASQUEZ stated that they walked for approximately one hour in the brush until arriving at the pick-up location. VELASQUEZ stated that next thing she observed was a car arrived and they all started running towards the car. VELASQUEZ stated that she ended up sitting in front passenger next to the driver. VELASQUEZ described the driver as a male, having facial hair and chubby. VELASQUEZ stated that once inside, they traveled for a couple of minutes and then the police lights turned on. VELASQUEZ stated that once the vehicle came to a stop, VELASQUEZ heard someone yell in the Spanish language to run. VELASQUEZ stated she was too tired and decided just to fall down and give up.


Note: VELASQUEZ was shown a photo lineup and positively identified Emilio Antonio GUERRA as the one having the cellphone and guiding them with the maps.

Note: VELASQUEZ stated the cellphone she had in her possession was given to her by GUERRA when they were walking in the brush.

Note: VELASQUEZ was also shown a photo lineup and was able to identify the driver.

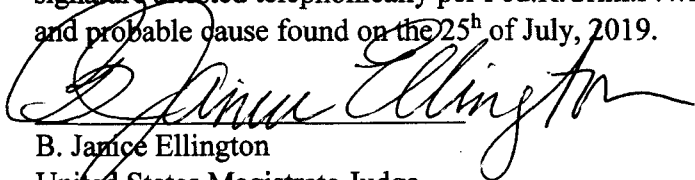
DISPOSITION:

The facts of this case were presented to Assistant United States Attorney Reid Manning, who accepted prosecution on Luis Angel HERNANDEZ-Monreal and Emilio Antonio GUERRA-Aguirre for violating Title 8 USC 1324, alien smuggling. Veronica VELASQUEZ-Andres is being held as the material witness in this case.



John D. Bullington
Border Patrol Agent

Submitted by reliable electronic means, sworn to,
signature attested telephonically per Fed.R.Crim.P.4.1,
and probable cause found on the 25th of July, 2019.



B. Janice Ellington
United States Magistrate Judge